

**AMENDED AGENDA**

**FOR THE REGULAR MEETING OF THE CITY OF BELEN PLANNING AND ZONING COMMISSION, STATE OF NEW MEXICO, COUNTY OF VALENCIA TO BE HELD ON MONDAY THE 13<sup>th</sup> OF AUGUST 2018 AT 6:00 PM IN THE COUNCIL CHAMBERS AT CITY HALL, 100 SOUTH MAIN STREET, BELEN, NEW MEXICO 87002.**

ALL P & Z COMMISSION MEETINGS ARE VIDEO AND AUDIO RECORDED.

*A COPY OF THE AGENDA MAY BE OBTAINED FROM THE OFFICE OF THE CITY OF BELEN PLANNING & ZONING DEPARTMENT.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGEANCE**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**  
Minutes of July 30, 2018
- 6. PUBLIC COMMENT 3 MINUTE PRESENTATIONS:** If more time is needed for presentation, please ask to be scheduled on the next agenda.
- 7. DISCUSSION**  
Comprehensive Plan
- 8. INFORMATIONAL ITEMS**
  - a. Communication from the Commission and Staff
- 9. ADJOURNMENT**

RESPECTFULLY SUBMITTED

/s/

Lisa R Miller, Planning & Zoning Administrator

cc: Mayor & City Council  
News Bulletin

Belen Chamber of Commerce  
Belen Recreation Center

Belen Public Library  
Belen City Hall

**JERAH R CORDOVA**  
MAYOR  
**LEONA VIGIL**  
CITY MANAGER



**CITY OF BELEN**  
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**WAYNE GALLEGOS**  
CITY COUNCIL  
**DAVID CARTER**  
CITY COUNCIL  
**RONNIE TORRES**  
CITY COUNCIL  
**FRANK ORTEGA**  
CITY COUNCIL

**CITY OF BELEN**  
**PLANNING & ZONING COMMISSION MEETING**  
**MINUTES**  
**JULY 30, 2018**

Vice Chair Pete Armstrong called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:03 PM.

**PRESENT:** Vice Chair Pete Armstrong  
Commissioner Claudine Montano  
Commissioner Gordon Reeves  
Commissioner Jim Lardner

**ABSENT** Chairman Steve Ethridge

**CITY STAFF:** Steven Tomita, Economic Development  
Lisa R Miller, Planning & Zoning Administrator

**OTHERS:** Matthew Garcia, Self  
Clara Garcia, Self

**APPROVAL OF THE AGENDA**

Commissioner Jim Lardner moved to approve the Agenda as presented.

Commissioner Claudine Montano seconded the motion.

Motion Carried.

**APPROVAL OF THE MINUTES**

The minutes of July 9, 2018 were read.

Commissioner Gordon Reeves moved to approve the minutes of July 9, 2018 as read.

Commissioner Claudine Montano seconded the motion.

Motion carried.

**PUBLIC COMMENT – 3 MINUTE PRESENTATIONS**

There were no public comments.

**PUBLIC HEARING WITH POSSIBLE ACTION**

**a. Swearing in of participants**

All participants pertaining to the public hearings were sworn in.

- b. REQUEST FOR A VARIANCE ON A FRONT SETBACK** for the purpose of placing a carport within the front setback: **MATTHEW & CLARA GARCIA. LEGAL DESCRIPTION:** Township 5 North, Range 2 East, Section 18, Map 100, Tract A, Land of Edeino Garcia, containing .16 ac., aka 402 S 7<sup>th</sup> St., Belen NM 87002.

Vice Chair Pete Armstrong asked if the surrounding neighbors within the 100 feet were notified of this request.

Lisa Miller said they have been.

Vice Chair Pete Armstrong asked the Commission if they had reviewed the petition for the Conditional Use.

The Commission said they had.

Commissioner Gordon Reeves asked if they were going to be required to get a permit from the state to put up this carport.

Lisa Miller said yes. She explained that the surrounding area was mainly zoned C-R with Commercial on the West side. There is a lot of empty land around this area. It has one off road access and proposed to be placed in front of their home. This will be approximately 10 feet from the curb which puts it around 2.5' to 3' from the property line and 2.5' from the home. The carport is to be 20' X 21' and anchored by manufactured housing anchors and is open sided.

Commissioner Gordon Reeves asked if it was possible to put the carport on the North side of the property.

Clara Garcia said that they want to put it in front because that is where they park. They have plans for a lawn on the North side. They are just wanting to put it up front to protect their cars.

Matthew Garcia said that it will be located just north of the front steps to the end of the home.

Steven Tomita asked what else was on the North side of the property.

Mr. Garcia said there was also a cement slab that was put in for the children to play basketball and a shed.

Commissioner Gordon Reeves asked if that was the area that they would also like to put in a grass yard.

Mr. Garcia said yes.

Commissioner Claudine Montano said that she sees nothing wrong with the request.

Lisa Miller informed the Commission that there were not going to be any site issues with this due to the fact that it is not an enclosed structure. The clear site triangle on the corner of Dillon and 7<sup>th</sup> St. is far enough away to not interfere.

Commissioner Claudine Montano said that she was unaware that Dillon went as far as that.

Commissioner Gordon Reeves commented that there was just a dirt alley on the south side of the property.

Ms. Garcia said that there is a mobile home behind them and another couple more down that dirt road. That is Dillon.

Vice Chair Pete Armstrong asked what the setbacks were for this area.

Lisa Miller said 20' front, 15' rear, and 5' side.

Vice Chair Pete Armstrong said that his concern was that they would be setting precedent in that 20' front setback. He realizes that in these types of neighborhoods that have been there long before the zoning ordinances went into effect, and asked if they were setting some kind of precedent.

Steven Tomita said that on a Conditional Use you are not typically setting a precedent because each request for a Conditional Use is on an individual basis. What they have to consider is, while you have a long lot, it is also a shallow lot. He measured the distance from the steps to the property line is approximately 20'. The lot is too narrow to meet the required setbacks.

Vice Chair Pete Armstrong said that in similar areas, there are issues with existing setback requirement within the City of Belen. In this particular case he has no issues, but he does have an issue with setting precedents in these types of neighborhoods. He feels that they, as a group, need to decide if they are going to essentially grandfather all of these in, or do we just say accept it the way it is.

Steven Tomita said that they can just make blanket decisions. If you do it across the board, then you do set precedence. You have to treat each one individually and look at conditions and circumstances. As long as you treat them individually, it is an individual decision.

Vice Chair Pete Armstrong asked if this is being look at as a permanent structure.

Clara Garcia said that it would be anchored by manufactured home anchors.

Matthew Garcia said that it will be there as long as it stays up or as long as we live there unless it flies away.

Steven Tomita said that the difficulty with this whole thing was that CID deems this a structure and requires a building permit, also in anchoring it down it becomes a designated location under the Ordinance definitions.

Vice Chair Pete Armstrong said that what he was struggling with was why we were using the Conditional Use as opposed to a variance.

Lisa Miller said that the family may not live there forever and the kids may decide to sell it one day.

Mr. Garcia said there may be a time that they decide that they do not want it anymore or want to replace it with an enclosed garage on the property.

Vice Chair Pete Armstrong said the reason he asked the question is because a variance is permanent.

Mr. Garcia said that they had to get a variance to place the home there. That is permanent and they are not going to be moving the house over. They may want to move the carport.

Steven Tomita said that if it was solidly anchored, like set in concrete then it would be more of a permanent use, but since they are using trailer anchors it can very easily be moved to another location so it is not a permanent use.

Commissioner Gordon Reeves said that there is really no other place to put it because wherever it is placed would still be in a setback area. He sees no problem granting them a conditional use.

Commissioner Jim Lardner said that they had talked about this the last meeting they had where a lot of these lots are about the size of a postage stamp, it is kind of hard to place something like this on those properties.

Mr. Garcia said that he just wants to place something like that because of the hail we have been getting for the last several years. It takes a toll on your vehicles.

Commissioner Jim Lardner asked if they have had any damage from the recent hail storms.

Clara Garcia said that her car was totaled with the last hail storm.

Vice Chair Pete Armstrong asked for a motion.

Commissioner Gordon Reeves moved to grant the Conditional Use to place a carport within the front setback for as long as it stays there.

Commissioner Claudine Montano seconded the motion.

Motion carried.

Vote was as follows:

Commissioner Claudine Montano	Yes
Commissioner Gordon Reeves	Yes
Commissioner Jim Lardner	Yes

Lisa Miller informed them that they will receive a Conditional Use Agreement that needs to be signed and notarized and returned to the City for their signatures. Once all signatures are there and notarized a copy of the signed agreement will be sent to them.

Vice Chair Pete Armstrong said that he thinks the City needs to look at how we are going to handle all of these in the future because this is just one of many more that will be coming in.

Steven Tomita said that they will have to handled the same way as we did this one. You do not want to go with a blanket policy.

## **DISCUSSION**

### **Census Information**

Steven Tomita asked if the information provided was what the Commission was looking for. There is other information available that we can access.

Lisa Miller said that the Commission discussed the charts that are at the beginning of the Comp Plan and this is where the information for those charts are going to be coming from.

Vice Chair Pete Armstrong said the ones that surprised him was the average income and the numbers associated with income and locations. It is said that this is a poor town and he has always contended that this is not a poor town. There is a lot of money in this town and he thinks those numbers reflect that.

Steven Tomita said that we are not poverty but we are below the state average. This shows that the mean household income for the state is \$45,674.00 and Belen is sitting at \$31,000.00. The thing to keep in mind, to a certain extent, the cost of living is cheaper here. Your purchasing power at that income is greater than Albuquerque, etc.

Vice Chair Pete Armstrong said that he was out with friends driving around the Belen area and there are some huge homes out there and there is a lot of money out there. He gets very cautious when people say that this is a poor Community.

Steven Tomita said that unemployment is very high here and in reality there is no excuse for that. Clariant, Keter, etc. cannot get jobs filled. Everyone is struggling to get jobs filled.

Vice Chair Pete Armstrong said that there are some areas that are low income areas.

Steven Tomita said that there is a decimal between the first number and the remaining numbers so if you look at these the margin of error is really low.

Commissioner Jim Lardner said that as far as putting this information into the charts, is there any way we can get numbers from 2008, 2010, or 2012, etc. so that they can be comparative charts.

Steven Tomita said that those numbers are in the existing documents.

Commissioner Jim Lardner asked if it was important to show these numbers.

Steven Tomita said they should look at those numbers along with the current ones and see what has changed and how much it has changed. We have been in a depressed cycle for quite some time so we can at least see what has changed since this cycle has changed.

Vice Chair Pete Armstrong said that as far as he can tell, the numbers have not changed significantly or substantially over this period of time.

Commissioner Jim Lardner said that he thinks that Belen grew up until 2005-2006 and then it came to a dead stop.

Steven Tomita said that the City has lost population. It is now down to approximately 7,200. A loss of people is an impact.

Vice Chair Pete Armstrong said that the good news is that the real estate sales around here have been so good that the real estate agents are unable to find homes to sell. He does not see any new builds but the existing homes are selling like crazy.

Steven Tomita said that two homes are going up at De la Reina and they plan on bringing in four more so that six are up when they start selling. They want to build as they sell and keeps at least 6 homes finished as they build out.

Vice Chair Pete Armstrong asked if they had solved all the problems they were having as far as the roads, drainage and grading goes.

Steven Tomita said that they have been working on that and we should be getting the new drainage plan and a set of the final plat to be reviewed. The storm drain inlets are being enlarged, regrading most of the lots and they shifted the plat because the plat was off about 4 feet. It has all been re-engineered and replatted.

Vice Chair Pete Armstrong said that he thinks that is going to be a flag ship for the City of Belen that is going to start some big things to come.

Steven Tomita said that Los Lunas has announced that there is going to be a 400 units apartment complex going to be built and a 150 lot subdivision on the West side of the freeway by Jubilee. Right now the momentum is people are either going to Albuquerque or Belen. He feels that the traffic congestion is going to be a hindrance for this. There is also a project that is going to be coming before the Council on the 21 of August for a lease agreement at the airport. This is called Project Flight.

Commissioner Jim Lardner asked if the next step of the process would be for them to edit all the tables in the Comp Plan to reflect the current census information.

Steven Tomita said yes and then they can determine where they think the City is going to go for the next 10 to 15 years from now.

#### **INFORMATIONAL ITEMS**

##### **a. Communication from the Commission and staff**

Steven Tomita has advised the Belen Mainstreet Organization and the Belen Chamber of Commerce that the Planning & Zoning Commission is working on updating the Comp Plan and the Belen Economic Development Association is going to be working on updating the Strategic Growth Plan. The Mainstreet Organization will be involved with this to add any input and suggestions.

Vice Chair Pete Armstrong said there are a lot of things going on within these groups along with things picking up along Main St. and that corridor. It is really going to be nice when these projects are finished. It will take a little getting used to but it is going to be nice when it is done. He thinks there are a lot of great things happening in Belen.

Commissioner Gordon Reeves said that he was in New Orleans recently and walking down some of their streets with the 12 foot sidewalks lined with trees and the lighting with old style lamps was awesome.

Lisa Miller asked the Commission if they had a change to go over the new application forms along with the required materials for each kind of application.

Commissioner Gordon Reeves said that he really likes the forms and required materials.

Vice Chair Pete Armstrong said that he thought they were great forms.

Lisa Miller said that some are new and she added more requirements to most of them. There will be mostly one application but different requirements for each request. There are a lot more requirements than the present applications.

Steven Tomita said that there really is a need for this change and if they do not provide the information, the application will not be accepted.

Commissioner Gordon Reeves said that the only thing that he sees that needs to be added is a scale on the site plan.

Vice Chair Pete Armstrong said that what he has noticed, since working on the Commission, that 95% of the people who live in this town, have any idea what it takes to make things happen. The Commissions do a good job on focusing and moving this City forward.

The Commission agreed and approved of the changes.

Steven Tomita said that Circle K is still battling with DOT over the entrances and exists on Aragon. They have been tied up for four months. Circle K has submitted the final traffic analysis to DOT. DOT is requiring a right turn in and right turn out on the first exit off of Aragon. There was a big



debate on this and DOT has no details on putting in an entrance. We have asked Senator Baca to ask DOT what the progress is on this. Maybe this will put a little pressure on them to get this done. DOT is also going to be enacting new ADA standards. At this time it is 12% but DOT is going to enact a 15% grade to the ADA standards. He corrected himself and said that he was reversed on this because it is the federal that is going 15% and the state is going 12%.

**ADJOURN**

There being no further business to come before the City of Belen Planning & Zoning Commission, Commissioner Gordon Reeves moved to adjourn.

Commissioner Claudine Montano seconded the motion.

Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 6:52 p.m.

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Vice Chair Pete Armstrong

**ATTEST:** \_\_\_\_\_  
Steven Tomita, Planning & Economic Development Director